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(ii) On the Colorado River upstream of Sheep Canyon.

(iii) On the San Juan River upstream of Clay Hills pullout.

(iv) On the Escalante River upstream of Coyote Creek.

(v) On the Dirty Devil River upstream of Utah Highway 95 bridge.

(2) A person may not operate a PWC at speed in excess of flat wake speed on the Escalante River from Cow Canyon to Coyote Creek.

(3) After December 31, 2012, no one may operate a PWC that does not meet the 2006 emission standards set by EPA for the manufacturing of two-stroke engines. A person operating a PWC that meets the EPA 2006 emission standards through the use of direct injection two-stroke or four-stroke engines, or the equivalent thereof, is not subject to this prohibition and will be allowed to operate as described in this section.

(4) The Superintendent may temporarily limit, restrict or terminate access to the areas designated for PWC use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.

[32 FR 5424, Mar. 31, 1967, as amended at 33 FR 11358, Aug. 9, 1968; 34 FR 2206, Feb. 14, 1969; 34 FR 11302, July 8, 1969; 36 FR 23294, Dec. 8, 1971; 40 FR 27030, June 26, 1975; 41 FR 27723, July 6, 1976; 42 FR 25857, May 20, 1977; 48 FR 30295, June 30, 1983; 68 FR 55465, Sept. 26, 2003; 72 FR 13706, Mar. 23, 2007]

## §7.71 Delaware Water Gap National Recreation Area.

(a) [Reserved]

(b) *Designated snowmobile routes.* (1) A route in Middle Smithfield Township, Monroe County, Pennsylvania, bounded by the Delaware River on the east and Hidden Lake on the west. The route begins at the Smithfield Beach parking area and is in two loops. Loop One is a small trail approximately 3 miles long and follows the west bank of the Delaware River and closely parallels the east side of L. R. 45012 (commonly known as the River Road). Loop Two is approximately 6 miles long and begins at the northwest end of Loop One; it goes northeasterly between the Delaware River and River Road for about one mile until it crosses River Road; then southwesterly along the ridge which is south of Hidden Lake to a point opposite the west end of Hidden Lake, and then goes southeasterly until it returns to Loop One near River Road. Maps of the route are available at Smithfield Beach and at the office of the superintendent. Both loops are marked by appropriate signs.

(2) [Reserved]

(c) *Technical rock climbing*—(1) *Definition.* The term ''technical rock climbing'' is defined to mean climbing where such technical climbing aids as pitons, carabiners or snap links, ropes, expansion bolts, or other mechanical equipment are used to make the climb.

(2) *Registration.* Registration is required with the Superintendent prior to any technical rock climbing. The registrant is required to notify the Superintendent upon completion of the climb.

(d) *Commercial Vehicles.* (1) Notwithstanding the prohibition of commercial vehicles set forth at §5.6 of this chapter, the following commercial vehicles are authorized to use that portion of U.S. Highway 209 located within the Delaware Water Gap National Recreation Area:

(i) Those operated by businesses based within the recreation area;

(ii) Those operated by businesses which as of July 30, 1983, operated a commercial vehicular facility in Monroe, Pike, or Northampton Counties, PA, and the vehicle operation originates or terminates at such facility;

(iii) On a first come-first served basis, up to 125 northbound and up to 125 southbound commercial vehicles per day serving businesses or persons in Orange County, Rockland County, Ulster County or Sullivan County, New York; and

(iv) Those operated in order to provide services to businesses and persons located in or contiguous to the boundaries of the recreation area.

(2) Contiguous Areas. All land within the exterior boundaries of Lehman, Delaware, Milford, Dingman, Stroud, Westfall, Middle Smithfield, Smithfield and Upper Mount Bethel townships is deemed contiguous to the recreation area.

(e) *Commercial vehicle fees*—(1) *Fee Schedule:* Fees are charged for those

commercial vehicular uses described in paragraphs (d)(1)(i), (ii) and (iii) of this section based on the number of axles and wheels on a vehicle, regardless of load or weight, as follows:

| | |
|---|---|
| (i) Two-axle car, van or truck | $3 |
| (ii) Two-axle vehicle with trailer | $5 |
| (iii) Two-axle 6-wheeled vehicle | $8 |
| (iv) Three-axle vehicle | $10 |
| (v) Four-axle vehicle | $13 |
| (vi) Five or more-axle vehicle | $18 |

The fees charged are for one trip, one way.

(2) *Exceptions.* The following commercial vehicles are exempt from the commercial fee requirements.

(i) Vehicles necessary to provide services to businesses or persons within, or contiguous to the recreation area.

(ii) Any vehicle owned by a Federal, State or municipal agency.

(iii) Any vehicle owned or operated by a publicly owned utility company.

(iv) Any vehicle operated by a nonprofit or educational organization.

(v) Any commercially licensed vehicle or vehicle otherwise identified as a commercial vehicle, when at that particular time it is being used for noncommercial purposes.

(f) *Powerless flight.* The use of devices designed to carry persons through the air in powerless flight is allowed at times and locations designated by the superintendent, pursuant to the terms and conditions of a permit.

(g) *Fishing.* Unless otherwise designated, fishing in any manner authorized under applicable State law is allowed.

[34 FR 13595, Aug. 23, 1969, as amended at 47 FR 4256, Jan. 29, 1982; 48 FR 30295, June 30, 1983; 48 FR 46780, 46782, Oct. 14, 1983; 49 FR 9421, Mar. 13, 1984; 49 FR 18451, Apr. 30, 1984; 50 FR 34130, Aug. 23, 1985; 51 FR 40419, Nov. 7, 1986; 52 FR 34777, Sept. 15, 1987; 69 FR 57181, Sept. 24, 2004]

## § 7.72 Arkansas Post National Memorial.

(a) *Launching, beaching, or landing of vessels.* Except in emergencies, no vessel shall be launched, beached, or landed from or on lands within the Arkansas Post National Memorial.

[35 FR 13206, Aug. 19, 1970]

## § 7.73 Buck Island Reef National Monument.

(a) *Extractive uses.* All extractive uses are prohibited within the boundaries of the Monument, including but not limited to harvest or collection (on the land or in the water) of fish for any use, marine mammals, coastal migratory pelagic fish, baitfish, lobsters, conch, whelk, hermit crabs (soldier crabs), seashells, corals, dead coral, sea fans, sponges and all associated reef invertebrates, plants, fruits and seeds, firewood, driftwood, rocks, sand, gas, oil, and minerals.

(b) *Marine operations.* No dredging, excavating or filling operations of any kind are permitted, and no equipment, structures, byproducts or excavated materials associated with such operations may be deposited in or on the waters or ashore within the boundaries of the Monument.

(c) *Wrecks.* No person shall destroy molest, remove, deface, displace or tamper with wrecked or abandoned waterborne craft of any type or condition, or any cargo pertaining thereto, unless permitted in writing by an authorized official of the National Park Service.

(d) *Boats.* (1) No watercraft shall operate in such a manner, nor shall anchors or any other mooring device be cast or dragged or placed, so as to strike or otherwise cause damage to any underwater features.

(2) Anchoring or maneuvering watercraft within the waters that contain underwater marked swimming trails and interpretive signs is prohibited.

(3) Anchoring is prohibited except by permit issued by the Superintendent for deep sand bottom areas or for administrative purposes.

(4) Anchoring will be allowed in emergency situations only to protect life and property.

(5) All watercraft, carrying passengers, for hire, shall comply with applicable regulations and laws of the U.S. Coast Guard and Territory of the Virgin Islands.

(e) *Fishing.* (1) All forms of fishing are prohibited including, but not limited to, spearfishing, rod and reel, handline, nets, gill or trammel, traps or pots, snares, hooks, poison, cast nets, trawl, seine, and long-line.